

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MOBIUS MANAGEMENT SYSTEMS, INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 05-346 SLR
	:	
ACARTUS, INC.,	:	
	:	
Defendant.	:	

PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION

Plaintiff Mobius Management Systems, Inc. hereby moves this Court for a preliminary injunction pursuant to Rule 65(a) of the Federal Rules of Civil Procedure:

1. Enjoining defendant from using in connection with the sale, offering for sale, distribution, promotion or advertising of its services, the trademark "Mobius" or any other mark incorporating the term "Mobius" or any other confusingly similar term or mark;
2. Ordering defendant to deliver up to the Court for destruction all merchandise, labels, signs, prints, packages, receptacles, advertisements and promotional materials bearing the trademark or trade name "Mobius" or any mark confusingly similar to "Mobius" and all plates, molds, matrices and other means of making the same;
3. Enjoining defendant from stating or implying in commerce that Mobius ViewDirect requires a manual transformation of content;
4. Enjoining defendant from stating or implying in commerce that continuing to support a legacy archival system such as Mobius perpetuates a series of unnecessary licensing,

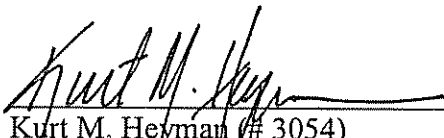
services and maintenance costs, or making any other false statement about Mobius or its products; and

5. Directing defendant, in accordance with 15 U.S.C. § 1116, to file with the Court and serve on plaintiff within thirty days after the service on defendant of any preliminary injunction issued in this action a written report setting forth in detail the manner and form in which defendant has complied with the preliminary injunction.

Plaintiff further moves this Court for an Order pursuant to Rule 26(d) of the Federal Rules of Civil Procedure ordering that the parties to this action (a) shall respond to requests to produce documents within ten calendar days after service of such requests by production of responsive documents and/or written objections thereto; and (b) may take the deposition of any other party or non-party witness, upon notice in writing to every other party of at least fifteen calendar days.

The grounds for this motion are set forth in the accompanying opening brief and in the supporting declarations of Mitchell Gross and Jonathan M. Wagner, Esq.

THE BAYARD FIRM


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Dated: July 5, 2005

CERTIFICATE OF SERVICE

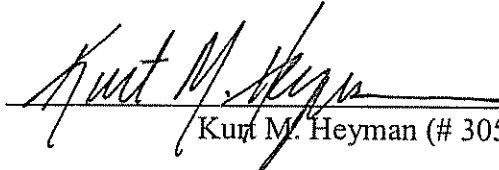
Kurt M. Heyman, Esquire, hereby certifies that on July 5, 2005, copies of the foregoing Plaintiff's Motion for a Preliminary Injunction were served upon the following:

VIA HAND DELIVERY

Acartus, Inc.
c/o The Corporation Trust Company
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VIA FEDERAL EXPRESS

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